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ROBERT POOLEY

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT POOLEY,

Defendant.

Case No. 2:21-cr-00111-WBS

**MR. POOLEY'S FIRST AMENDED
EXHIBIT LIST**

Date: May 15, 2024

Time: 9:00 a.m.

Judge: Hon. William B. Shubb

Mr. Robert Pooley, by and through undersigned counsel, respectfully submits the following exhibit list. Mr. Pooley respectfully requests to reserve the opportunity to amend this list as appropriate. The defense is using exhibit numbers instead of exhibit letters and beginning the range at a suitably large number to avoid any overlap with the government exhibits.

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EXH	DESCRIPTION	IDENTIFIED	ADMITTED
2000	Sigma Tandem System Owner's Manual, 03-08-2016		
2001	Sigma Tandem System Owner's Manual, 01-08-2017		
2002	Section VI, 9. Module: Aircraft Procedures, excerpt from the UPT "Tandem Examiner Guide Lines for the Certification of Tandem Instructors", 11th Edition, April 21, 2010		
2003	Reporter's transcript of Grand Jury testimony of Reggie Lee, on June 10, 2021		
2004	June 22, 2021 Press Release by the Dept. of Justice, Eastern District of California, <i>San Joaquin County Skydiver Arrested for Running Unauthorized Tandem Instructor Courses</i>		
2005	Online information about the United States Parachute Association (USPA), printed on April 30, 2024 from the website www.uspa.org/about-uspa/what-is-uspa		
2006	USPA Skydivers Information Manual 2016-2017		
2007	Joshua Hall Subpoena Return - Documents Set 1 and Set 2		
2008	MOA - Telephonic interview of Joshua Hall by Special Agent Brian DuBois, on February 23, 2017		
2009	Garmashov v. United States Parachute Assoc., Inc., USDC-SDNY, 1:21-cv-04917-JGK-OTW, document 63 - Order granting Motion to Enforce Settlement Agreement		
2010	USPA Instructional Rating Manual 2016-2017		
2011	USPA Statement on Tandem Skydiving Safety and Instructor Certification		
2012	USPA Policy on Certain Tandem Instructor Candidates and Rating Holders		
2013	Google Return Letter 1906057 dated August 17, 2018		
2014	Google Return Letter 57696981 dated April 12, 2024		
2015	Reporter's transcript of Grand Jury testimony of Peter Swann, on December 5, 2019		
2016	MOA - Interview of Peter Swann by Special Agents Brian DuBois and Reggie Lee, on June 27, 2017		
2017	MOA - Interview of Peter Swann by Special Agent Brian DuBois, on January 12, 2018		
2018	MOA - Telephone call with Peter Swann by Special Agent Kyung Keum, on November 19, 2019		

1	2019	MOA - Interview of Peter Swann by Special Agent Kyung Keum, on November 26, 2019		
2	2020	MOA - Interview of Peter Swann by Special Agent Reggie Lee with AUSA Christopher Hales, on December 5, 2019		
3	2021	Transcript of Robert Pooley interview by Special Agents Brian DuBois and Paolo Hernandez, on January 30, 2018		
4	2022	Transcript of Robert Pooley interview by Special Agents Reggie Lee and Richard Ficarelli, on April 27, 2021		
5	2023	PayPal Account information of Robert Pooley obtained by Special Agent Reggie Lee on June 18, 2021		
6	2024	Garmashov v. United States Parachute Assoc., Inc., USDC-SDNY, 1:21-cv-04917-JGK-OTW, document 37 - Memo in Support of Motion to Enforce Settlement Agreement		
7	2025	Email from Robert Pooley to Carlos Martinez Medel on August 9, 2016 forwarding email from JC Coldren with Subject: Tandem Examiner Inquiry		
8	2026	Documents seized from Yuri Garmashov's locker at the Parachute Center during Search Warrant execution on January 30, 2018		
9	2027	Blank USPA Tandem Instructor Rating Application forms with Yuri Garmashov's signatures, seized from Yuri Garmashov's locker at the Parachute Center during Search Warrant execution		
10	2028	Photos of a desk with computers taken during the execution of a search warrant at the Parachute Center in Lodi, on January 30, 2018		
11	2029	Emails in April 2021 between Special Agent Reggie Lee and Tom Noonan regarding UPT receipt of paperwork for Lachlan Morgan Mackay		
12	2030	Email from Special Agent Reggie to Tom Noonan on April 29, 2021 regarding Lachlan Morgan Mackay and communication from parachutecentervideodesk@gmail.com		
13	2031	May 14, 2021 Emails - USPA unable to find certain archived emails of Jim Crouch and Susan Sullivan		
14	2032	Emails in May 2021 between Special Agent Reggie Lee and Ron Bell of USPA regarding emails from parachutecentervideodesk@gmail.com		
15	2033	Notes of Special Agent Reggie Lee from interview of Danny Overeem on June 1, 2021		
16	2034	USPA Tandem Instructor Rating Application of Danny Overeem		

1	2035	UPT/USPA tandem instructor training paperwork of Brad North		
2	2036	Emails between Special Agent Reggie Lee and Brad North from March 23, 2021 to March 31, 2021		
3	2037	MOA - Interview of Brad North by Special Agents Reggie Lee and Richard Ficarelli, on March 29, 2021		
4	2038	MOA - Interview of Brad North by Special Agents Reggie Lee and Richard Ficarelli, with AUSAs Kate Lydon and Dhruv Sharma, on February 5, 2024		
5	2039	Text messages between Brad North and Special Agent Reggie Lee		
6	2040	MOA - Document receipt of Brad North's tandem instructor training paperwork by Special Agent Reggie Lee		
7	2041	Special Agents' notes from interviews of Brad North		
8	2042	Emails on August 20-21, 2015 between Robert Pooley and Yuri Garmashov with Subject: Tandem candidates		
9	2043	Tandem instructor certification paperwork of Jason Spurgeon		
10	2044	Emails from August 2015 with Subject: New TI paperwork package for Jason Spurgeon		
11	2045	Emails from August 2015 with Subject: New TI paperwork package for Jason Spurgeon		
12	2046	Emails from August 2015 with Subject: New TI paperwork package for Jason Spurgeon		
13	2047	Email from Yuri Garmashov to yurig@89vx.net with Subject: Screenshot (September 30, 2016 2:24 PM)		
14	2048	Emails on April 22, 2021 between Special Agent Reggie Lee and Gonzalo Fabricio Palomino Benitez with attached screenshots of Facebook messages		
15	2049	MOA - Telephonic interview of Gonzalo Fabricio Palomino Benitez by Special Agent Reggie Lee, on April 22, 2021		
16	2050	Emails between Special Agent Reggie Lee and Gonzalo Fabricio Palomino Benitez from April 22, 2021 to June 23, 2021		
17	2051	Screenshots of Facebook messages between Gonzalo Fabricio Palomino Benitez and Sergii Osadchyi		
18	2052	MOA - Special Agent Reggie Lee telephone call with Gonzalo Fabricio Palomino Benitez on May 21, 2021		
19	2053	MOA - Telephonic interview of Gonzalo Fabricio Palomino Benitez by Special Agent Reggie Lee, on May 28, 2021		

1	2054	MOA - Interview of Gonzalo Fabricio Palomino Benitez by Special Agents Reggie Lee and Richard Ficarelli, on February 7, 2024		
2	2055	Agent notes from interview of Gonzalo Fabricio Palomino Benitez on February 7, 2024		
3	2056	Notes of Special Agent Reggie Lee from interview of Gonzalo Fabricio Palomino Benitez on April 22, 2021		
4	2057	Garmashov v. United States Parachute Assoc., Inc., USDC-SDNY, 1:21-cv-04917-JGK-OTW, document 3 - Complaint		
5	2058	Cover photo from the July 2013 issue of Parachutist - photo of Yuri Garmashov		
6	2059	Text messages from and to 949-412-5339 and from July 8 through August 30, 2016		
7	2060	Text messages from and to 916-595-6172 on August 7-8, 2016		
8	2061	Email from Yuri Garmashov to Tom Noonan on August 10, 2016		
9	2062	Emails on August 12, 2016 between David Jensen and Yuri Garmashov		
10	2063	Emails from August 12-17, 2016 between David Jensen and Yuri Garmashov		
11	2064	Letter dated August 29, 2016 from Jason Putnam Gordon to Yuri Garmashov regarding USPA Administrative Suspension of Instructor Examiner Ratings Pending Further Investigation		
12	2065	Letter dated August 29, 2016 from Tom Noonan to Yuri Garmashov regarding Suspension of UPT Tandem Examiner Rating Pending USPA Reinstatement		
13	2066	Email from Kevin Stone to Yuri Garmashov on September 5, 2016 in reply to Garmashov's email on September 1, 2016 with Subject: USPA statement		
14	2067	Email from Evan Beecher to Yuri Garmashov on September 5, 2016 - Potential draft letter		
15	2068	Reply email from Yuri Garmashov to Evan Beecher on September 6, 2016 - Potential draft letter		
16	2069	Reply email from Evan Beecher to Yuri Garmashov on September 6, 2016 - Potential draft letter		
17	2070	Email from Yuri Garmashov to Robert Pooley on September 7, 2016 with attached letter		
18	2071	Email from Yuri Garmashov to Robert Pooley on September 8, 2016, Subject: letter		

1	2072	Email from Yuri Garmashov to Joshua Hall on September 8, 2016, with attached undated letter signed by Robert Pooley		
2	2073	Yuri Garmashov statement of events in 2016 in relation to his USPA suspension		
3				
4	2074	Letter dated October 13, 2016, from Jan Meyer (USPA) notifying Yuri Garmashov that his USPA membership and all ratings have been revoked		
5				
6	2075	Email from Tom Noonan to Yuri Garmashov on October 17, 2016 regarding attached UPT rating revocation letter		
7	2076	Yuri Garmashov statement of events in 2016 in relation to his USPA suspension		
8				
9	2077	Michael Wadkins letter to USPA, dated February 6, 2017		
10	2078	Lachlan Mackay tandem instructor certification paperwork from retraining with Michael Wadkins		
11	2079	Video of Yuri Garmashov deposition on Feb. 11, 2020		
12				
13	2080	Transcript of Yuri Garmashov deposition on Feb. 11, 2020		
14				
15	2081	Emails on June 8, 2021 between Special Agent Reggie Lee and Fabian Munoz		
16	2082	MOA - Interview of Fabian Munoz by Special Agent Reggie Lee, on June 9, 2021		
17				
18	2083	MOA - Interview of Fabian Munoz on January 31, 2024 by Special Agents Reggie Lee and Richard Ficarelli, with Special Agent Christina Jones providing Spanish translation		
19				
20	2084	Agent notes from interview of Fabian Munoz on January 31, 2024		
21	2085	Fabian Munoz tandem instructor certification paperwork from retraining with Timoteo Salgado		
22	2086	MOA - telephonic interview of Willard "Jay" Stokes by Special Agent Brian DuBois, on December 27, 2017		
23				
24	2087	MOA - telephonic interview of Willard "Jay" Stokes by Special Agent Reggie Lee, on May 27, 2021		
25	2088	MOA - interview of Willard "Jay" Stokes by Special Agents Reggie Lee and Richard Ficarelli, on February 6, 2024		
26				
27	2089	Notes of Special Agent Reggie Lee from interview of Willard "Jay" Stokes on May 27, 2021		

1	2090	Agent notes from interview of Willard "Jay" Stokes on February 6, 2024		
2	2091	MOA - Interview of Mark Procos by Special Agents Reggie Lee and Richard Ficarelli, on January 31, 2024		
3	2092	Agent notes from interview of Mark Procos on January 31, 2024		
4	2093	MOA - Interview of Lachlan Morgan Mackay by Special Agents Reggie Lee and Richard Ficarelli, on January 23, 2024		
5	2094	Special Agent notes from interview of Lachlan Morgan Mackay on January 23, 2024		
6	2095	FAA Enforcement Investigation Report (EIR) of Robert Pooley		
7	2096	MOA - Interview of FAA Inspectors David Jensen and Matt DeSeelhorst by Special Agents Brian DuBois and Kathryn Kerkhoff, on January 4, 2017		
8	2097	MOA - David Jensen contacted Special Agent Brian DuBois on June 27, 2017		
9	2098	MOA - David Jensen contacted Special Agent Brian DuBois via email, on December 15, 2017		
10	2099	MOA - Special Agent Kyung Keum met and received documents from David Jensen, on December 20, 2019		
11	2100	MOA - Special Agent Kyung Keum received documents from David Jensen, on January 23, 2020		
12	2101	Record of Conversation (notes) on September 1, 2016 with Yuri Garmashov by David Jensen		
13	2102	Record of Visit - David Jensen contact with Yuri Garmashov at the Parachute Center, on September 1, 2016		
14	2103	MOA - Interview of Yuri Garmashov by Special Agent Kyung Keum, on March 5, 2020		
15	2104	Transcript of Yuri Garmashov interview by Special Agents Reggie Lee and Richard Ficarelli, on April 29, 2021		
16	2105	Audio file of recording of Yuri Garmashov interview by Special Agents Reggie Lee and Richard Ficarelli, on April 29, 2021		
17	2106	MOA - Interview of Yuri Garmashov by Special Agents Reggie Lee and Richard Ficarelli, on April 29, 2021		
18	2107	July 8, 2021 Dept. of Justice Proffer Agreement with Yuri Garmashov		
19	2108	MOA - Interview of Yuri Garmashov by Special Agents Reggie Lee, on July 12, 2021		

1	2109	Notes of Special Agent Reggie Lee from Proffer interview of Yuri Garmashov, on July 12, 2021		
2	2110	August 12, 2016 email from Morgan Mackay to Robert Pooley (rpooley75 gmail) re: Ratings		
3	2111	September 1, 2016 email from Yuri Garmashov (yurig.garmashov gmail) re: USPA statement		
4	2112	October 25, 2016 email from Yuri Garmashov (yurig.garmashov gmail) to Alexey Kharitonov (v-yablochko@yandex.ru)		
5	2113	August 23, 2015 email from parachutecentervideodesk@gmail.com re: New TI paperwork package for Jason Spurgeon		
6	2114	August 23, 2015 email from parachutecentervideodesk@gmail.com to Yuri Garmashov (yuri.garmashov gmail) with attached UPT and USPA paperwork for Jason Spurgeon		
7	2115	59:58-1:00:12 of Rob's Video Depo 1/21/20. Agent asks when Rob conducted Kwon's training at the Parachute Center.		
8	2116	44:37-45:55 of Rob's Video Depo 1/21/20. Agent asks about Rob's suspended rating during Kwon's training and his personal relationship with Dause.		
9	2117	14:02 - 14:40 from DOT Interview with Robert Pooley on April 27, 2021. Agent asks about who trained and signed off on Kwon's training.		
10	2118	8:03 - 8:13 of Rob's Video Depo 1/21/20. Agent asks if the manual looks like the one he used to train Kwon.		
11	2119	9:00 - 9:37 from DOT Interview with Robert Pooley on Jan 20, 2018. Agent asks about specific trainings for specific types of skydiving (accelerated free fall).		
12	2120	11:19 - 12:25 from DOT Interview with Robert Pooley on January 20, 2018		
13	2121	1:08:45 - 1:09:06 from DOT Interview with Robert Pooley on January 20, 2018		
14	2122	1:42:53 - 1:43:27 from DOT Interview with Robert Pooley on January 20, 2018. Rob tells Agent that he scans paperwork to Yuri wherever he is.		
15	2123	1:52:28 - 1:53:07 from DOT Interview with Robert Pooley on January 20, 2018. Agent asks about Yuri being out of town and if he knew Rob was training people while he is gone.		
16	2124	1:51:11 - 1:51:55 from DOT Interview with Robert Pooley on January 20, 2018.		
17	2125	29:34 - 29:52 from DOT Interview with Yuri Garmashov on April 29, 2021. Agent asks if Yuri knows who has paperwork.		

2126	2:35 - 3:00 from DOT Interview with Yuri Garmashov on April 29, 2021		
2127	22:42 - 22:45 from DOT Interview with Yuri Garmashov on April 29, 2021		
2128	Code of Federal Regulations, Title 14, Section 105.45, Use of tandem parachute systems.		
2129	Spreadsheet – Tandem Instructor candidate list (POOLEY_00001488)		
2130	Images from the Facebook page of Skydive Lodi Parachute Center		
2131	Payment confirmation email from PayPal to Katherine Dause, dated August 10, 2015 for mobile payment of \$390 to “Lachlan Mackay”		
2132	September 24, 2015 email from parachutecentervideodesk@gmail.com to Susan Sullivan, with attached USPA paperwork of Vicki Allen, re: License and rating package for Vicki Allen		
2133	September 25, 2015 email from Susan Sullivan to parachutecentervideodesk@gmail.com re: License and rating package for Vicki Allen		
2134	August 11, 2016 email from Morgan Mackay to Robert Pooley, (rpooley75 gmail) re: Ratings		
2135	August 12, 2016 email from Yuri Garmashov (yurig.garmashov gmail) to David Jensen		
2135R	August 12, 2016 email from Yuri Garmashov (yurig.garmashov gmail) to David Jensen [REDACTED]		
2136	August 19, 2016 email from richardkeir@gmail.com to Yuri Garmashov (yuriggarmashov gmail) re: tandem rating		
2137	August 26, 2016 email from Jim Crouch to Yuri Garmashov (yurig.garmashov gmail) re: Rating questions		
2138	February 12, 2021 – February 22, 2021 email exchange between Special Agent Reggie Lee and Sangyeul Jeong, re: Tandem course information request		
2139	June 15, 2021 email from Fabian Munoz to Special Agent Reggie Lee transferring three files (two images and one video)		
2140	Notes of Special Agent Reggie Lee from interview of Fabian Munoz on June 9, 2021		
2141	June 8, 2021 – April 30, 2024 email exchange between Special Agent Reggie Lee and Carlos Obaid and Fabian Munoz re: paperwork question		
2142	April 29 – April 30, 2024 email exchange between Special Agent Reggie Lee and Fabian Munoz re: Situation in Chile currently		

2143	June 22, 2021 email from Reggie Lee to Gonzalo Fabricio Palomino Benitez (Skydive Baja) with web link to Dept. of Justice Press Release titled <i>San Joaquin County Skydiver Arrested Running Unauthorized Tandem Instructor Courses</i>		
2144	January 22 – January 23, 2024 email exchange between Special Agent Reggie Lee and (Lachlan) Morgan Mackay, with Special Agent Richard Ficarelli copied, re: Mackay-DOT call		
2145	April 12 – April 13, 2024 email exchange between (Lachlan) Morgan Mackay and Special Agent Reggie Lee in which Mr. Mackay indicates he cannot make it to court to testify.		
2146	Memo re interview of Ron Bell on April 24, 2024 by Special Agent Reggie Lee, with AUSAs Dhruv Sharma and Kate Lydon		
2147	Special Agent Reggie Lee's notes from the interview of Ron Bell on April 24, 2024		
2148	Screenshot of Excel Spreadsheet (POOLEY_00032966) of Jim Crouch's notes of USPA's disciplinary action of Robert Pooley		
2149	Memo re interview of Jim Crouch on April 29, 2024 by Special Agents Reggie Lee and Richard Ficarelli, with AUSAs Kate Lydon and Dhruv Sharma		
2150	Agents' notes from the interview of Jim Crouch on April 29, 2024		
2151	Memo re interview of Yuri Garmashov on April 29, 2024 by Special Agents Reggie Lee and Richard Ficarelli, with AUSAs Kate Lydon and Dhruv Sharma		
2152	Agents' notes from the interview of Yuri Garmashov on April 29, 2024		
2153	Memo re interview of Joaquin Gomez on May 3, 2024 by Special Agents Reggie Lee and Richard Ficarelli, with AUSAs Kate Lydon and Dhruv Sharma		
2154	Agents' notes from the interview of Joaquin Gomez on May 3, 2024		
2155	Memo regarding the service of subpoenas on Joshua Hall and USPA (accepted by Jim Crouch) on March 30, 2017		
2156	Memo re interview of Joshua Hall on May 1, 2024 by Special Agent Reggie Lee, with AUSA Kate Lydon, USPA Executive Director Albert Berchtold, and Sam Burdick, attorney for USPA		
2157	Special Agent Reggie Lee's notes from the interview of Joshua Hall on May 1, 2024		
2158	Memo of interview of Paolo Hernandez on May 10, 2024 by Special Agent Reggie Lee, with AUSAs Kate Lydon and Dhruv Sharma		

1	2159	Special Agent Reggie Lee's notes from the interview of Paolo Hernandez on May 10, 2024		
2	2160	Memo of interview of David Jensen on April 30, 2024 by Special Agents Reggie Lee and Richard Ficarelli, with AUSAs Kate Lydon and Dhruv Sharma, and FAA attorney Fatima Stokley		
3				
4	2161	Agents' notes from the interview of David Jensen on April 30, 2024		
5				
6	2162	December 15 – December 16, 2017 email exchange between David Jensen and Special Agent Brian DuBois		
7	2163	September 20, 2016 – January 3, 2018 email exchange between David Jensen and Special Agent Brian DuBois		
8				
9	2164	Memo re interview of Carlos Martinez on April 23, 2024 by Special Agent Reggie Lee, with AUSA Kate Lydon		
10	2165	Special Agent Reggie Lee's notes from the interview of Carlos Martinez on April 23, 2024		
11				
12	2166	Memo re interview of Brad North on May 9, 2024 by Special Agent Reggie Lee, with AUSAs Kate Lydon and Dhruv Sharma		
13	2167	Special Agent Reggie Lee's notes from the interview of Brad North on May 9, 2024		
14	2168	Memo re interview of Danny Overeem on April 19, 2024 by Special Agent Reggie Lee, with AUSA Kate Lydon		
15				
16	2169	Special Agent Reggie Lee's notes from the interview of Danny Overeem on April 19, 2024		
17	2170	Memo re interview of Mark Procos on May 9, 2024 by Special Agent Reggie Lee, with AUSAs Kate Lydon and Dhruv Sharma		
18				
19	2171	Special Agent Reggie Lee's notes from the interview of Mark Procos on May 9, 2024		
20	2172	Memo re interview of Mark Procos on May 13, 2024 by Special Agents Reggie Lee and Richard Ficarelli, with AUSA Dhruv Sharma		
21				
22	2173	Agents' notes from the interview of Mark Procos on May 13, 2024		
23	2174	Memo re interview of Ryan Scott on April 22, 2024 by Special Agent Reggie Lee		
24	2175	Special Agent Reggie Lee's notes from the interview of Ryan Scott on April 22, 2024		
25				
26	2176	Memo re interview of Daniel Soto on May 1, 2024 by Special Agent Richard Ficarelli		
27	2177	Special Agent Richard Ficarelli's notes from the interview of Daniel Soto on May 1, 2024		

1	2178	Memo re interview of Peter Swan on April 23, 2024 by Special Agent Reggie Lee, with AUSAs Kate Lydon and Dhruv Sharma		
2	2179	Special Agent Reggie Lee's notes from the interview of Peter Swan on April 23, 2024		
3				
4	2180	Memo re interview of Peter Swan on May 10, 2024 by Special Agent Reggie Lee, with AUSAs Kate Lydon and Dhruv Sharma		
5	2181	Special Agent Reggie Lee's notes from the interview of Peter Swan on May 10, 2024		
6				
7	2182	March 3 – March 4, 2017 email exchange re: fraudulent & unethical practices		
8	2183	Photo of Yuri Garmashov doing tandem jump in 2017, taken by Peter Swan		
9	2184	RESERVED		
10				
11	2185	RESERVED		
12	2186	RESERVED		
13	2187	RESERVED		
14				
15	2188	RESERVED		
16	2189	RESERVED		
17	2190	RESERVED		
18				
19	2191	RESERVED		
20	2192	RESERVED		
21	2193	RESERVED		
22				
23	2194	RESERVED		
24	2195	RESERVED		
25	2196	RESERVED		
26				
27	2197	RESERVED		

2198	RESERVED		
2199	RESERVED		
2200	RESERVED		

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

Date: May 15, 2024

/s/ Mia Crager
MIA CRAGER
MEGHAN McLOUGHLIN
Assistant Federal Defender
Attorney for Defendant
ROBERT POOLEY